

Barr	Geren	Myrick
Barrett (NE)	Gilchrest	Neal
Bartlett	Gillmor	Nethercutt
Barton	Gilman	Ney
Bass	Goodlatte	Nussle
Bevill	Goodling	Oxley
Bilbray	Gordon	Packard
Bilirakis	Graham	Pallone
Bliley	Greenwood	Parker
Blute	Gunderson	Paxon
Boehlert	Gutknecht	Payne (VA)
Boehner	Hall (TX)	Pelosi
Bonilla	Hamilton	Peterson (FL)
Bonior	Hancock	Peterson (MN)
Boucher	Hansen	Petri
Brewster	Harman	Pickett
Browder	Hastert	Pombo
Brown (FL)	Hastings (FL)	Porter
Brown (OH)	Hastings (WA)	Portman
Brownback	Hayes	Pryce
Bryant (TN)	Hayworth	Quinn
Bunning	Hefley	Radanovich
Burr	Hefner	Rahall
Burton	Herger	Regula
Buyer	Hilleary	Riggs
Callahan	Hilliard	Roberts
Calvert	Hoekstra	Roemer
Camp	Hoke	Rohrabacher
Castle	Horn	Ros-Lehtinen
Chambliss	Houghton	Roth
Chenoweth	Hunter	Roukema
Christensen	Inglis	Royce
Chryslers	Istook	Salmon
Clay	Jefferson	Sanford
Clayton	Johnson (CT)	Saxton
Clement	Johnson, Sam	Schaefer
Clinger	Jones	Seastrand
Coble	Kelly	Shadeegg
Coburn	Kennedy (MA)	Shaw
Collins (GA)	Kennedy (RI)	Shays
Combest	Kennelly	Shuster
Condit	Kim	Sisisky
Cox	King	Skaggs
Cramer	Kingston	Skeen
Crane	Klug	Smith (NJ)
Crapo	Kolbe	Smith (TX)
Cubin	LaHood	Smith (WA)
Davis	Largent	Solomon
de la Garza	Latham	Souder
Deal	Laughlin	Spence
DeLay	Lazio	Stearns
Deutsch	Lewis (CA)	Stockman
Diaz-Balart	Lewis (GA)	Stump
Dickey	Lightfoot	Talent
Dicks	Lincoln	Tanner
Dingell	Linder	Tate
Dooley	Livingston	Tauzin
Doolittle	LoBiondo	Taylor (MS)
Dornan	Longley	Taylor (NC)
Doyle	Lowey	Tejeda
Dreier	Lucas	Thompson
Duncan	Maloney	Thornberry
Dunn	Manton	Tiahrt
Ehlers	Manzullo	Torkildsen
Ehrlich	Markey	Towns
Emerson	Martini	Upton
Engel	Mascara	Visclosky
English	McCrery	Vucanovich
Ensign	McDade	Waldholtz
Eshoo	McInnis	Walker
Everett	McIntosh	Walsh
Ewing	McKeon	Wamp
Fattah	McKinney	Ward
Fields (LA)	McNulty	Watts (OK)
Fields (TX)	Meehan	Weldon (FL)
Flanagan	Meek	Weldon (PA)
Foley	Menendez	Weller
Forbes	Metcalfe	White
Fowler	Mica	Wicker
Fox	Miller (FL)	Wilson
Frank (MA)	Minge	Wise
Franks (CT)	Molinari	Wolf
Franks (NJ)	Mollohan	Wynn
Frelinghuysen	Montgomery	Young (FL)
Frisa	Moorhead	Zeliff
Funderburk	Moran	Zimmer
Galleghy	Morella	
Ganske	Murtha	

NOT VOTING—12

Andrews	McHugh	Scarborough
Bateman	Moakley	Thurman
Bishop	Ortiz	Williams
Hutchinson	Reynolds	Young (AK)

So the amendment as modified, was not agreed to.

¶109.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. COX:

Page 78, before line 18, insert the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 104. ONLINE FAMILY EMPOWERMENT.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) is amended by adding at the end the following new section:

“SEC. PROTECTION FOR PRIVATE BLOCKING AND SCREENING OF OFFENSIVE MATERIAL; FCC REGULATION OF COMPUTER SERVICES PROHIBITED.

“(a) FINDINGS.—The Congress finds the following:

“(1) The rapidly developing array of Internet and other interactive computer services available to individual Americans represent an extraordinary advance in the availability of educational and informational resources to our citizens.

“(2) These services offer users a great degree of control over the information that they receive, as well as the potential for even greater control in the future as technology develops.

“(3) The Internet and other interactive computer services offer a forum for a true diversity of political discourse, unique opportunities for cultural development, and myriad avenues for intellectual activity.

“(4) The Internet and other interactive computer services have flourished, to the benefit of all Americans, with a minimum of government regulation.

“(5) Increasingly Americans are relying on interactive media for a variety of political, educational, cultural, and entertainment services.

“(b) POLICY.—It is the policy of the United States to—

“(1) promote the continued development of the Internet and other interactive computer services and other interactive media;

“(2) preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by State or Federal regulation;

“(3) encourage the development of technologies which maximize user control over the information received by individuals, families, and schools who use the Internet and other interactive computer services;

“(4) remove disincentives for the development and utilization of blocking and filtering technologies that empower parents to restrict their children's access to objectionable or inappropriate online material; and

“(5) ensure vigorous enforcement of criminal laws to deter and punish trafficking in obscenity, stalking, and harassment by means of computer.

“(c) PROTECTION FOR ‘GOOD SAMARITAN’ BLOCKING AND SCREENING OF OFFENSIVE MATERIAL.—No provider or user of interactive computer services shall be treated as the publisher or speaker of any information provided by an information content provider. No provider or user of interactive computer services shall be held liable on account of—

“(1) any action voluntarily taken in good faith to restrict access to material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected; or

“(2) any action taken to make available to information content providers or others the technical means to restrict access to material described in paragraph (1).

“(d) FCC REGULATION OF THE INTERNET AND OTHER INTERACTIVE COMPUTER SERVICES PRO-

HIBITED.—Nothing in this Act shall be construed to grant any jurisdiction or authority to the Commission with respect to content or any other regulation of the Internet or other interactive computer services.

“(e) EFFECT ON OTHER LAWS.—

“(1) NO EFFECT ON CRIMINAL LAW.—Nothing in this section shall be construed to impair the enforcement of section 223 of this Act, chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, United States Code, or any other Federal criminal statute.

“(2) NO EFFECT ON INTELLECTUAL PROPERTY LAW.—Nothing in this section shall be construed to limit or expand any law pertaining to intellectual property.

“(3) IN GENERAL.—Nothing in this section shall be construed to prevent any State from enforcing any State law that is consistent with this section.

“(f) DEFINITIONS.—As used in this section:

“(1) INTERNET.—The term ‘Internet’ means the international computer network of both Federal and non-Federal interoperable packet switched data networks.

“(2) INTERACTIVE COMPUTER SERVICE.—The term ‘interactive computer service’ means any information service that provides computer access to multiple users via modem to a remote computer server, including specifically a service that provides access to the Internet.

“(3) INFORMATION CONTENT PROVIDER.—The term ‘information content provider’ means any person or entity that is responsible, in whole or in part, for the creation or development of information provided by the Internet or any other interactive computer service, including any person or entity that creates or develops blocking or screening software or other techniques to permit user control over offensive material.

“(4) INFORMATION SERVICE.—The term ‘information service’ means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.”.

It was decided in the { Yeas 420
affirmative Nays 4

¶109.14 [Roll No. 631]
AYES—420

Abercrombie	Bonior	Clinger
Ackerman	Bono	Clyburn
Allard	Borski	Coble
Archer	Boucher	Coburn
Armey	Brewster	Coleman
Bachus	Browder	Collins (GA)
Baessler	Brown (CA)	Collins (IL)
Baker (CA)	Brown (FL)	Collins (MI)
Baker (LA)	Brown (OH)	Combest
Baldacci	Brownback	Condit
Ballenger	Bryant (TN)	Conyers
Barcia	Bryant (TX)	Cooley
Barr	Bunn	Costello
Barrett (NE)	Bunning	Cox
Barrett (WI)	Burr	Coyne
Bartlett	Burton	Cramer
Barton	Buyer	Crane
Bass	Callahan	Crapo
Becerra	Calvert	Creameans
Beilenson	Camp	Cubin
Bentsen	Canady	Cunningham
Bereuter	Cardin	Danner
Berman	Castle	Davis
Bevill	Chabot	de la Garza
Bilbray	Chambliss	Deal
Bilirakis	Chapman	DeFazio
Bishop	Chenoweth	DeLauro
Bliley	Christensen	DeLay
Blute	Chryslers	Dellums
Boehlert	Clay	Deutsch
Boehner	Clayton	Diaz-Balart
Bonilla	Clement	Dickey